

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

PHILLIP JOSEPH MILLER,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	CIVIL ACTION 06-0447-BH-M
MICHAEL J. ASTRUE,	:	
Acting Commissioner of	:	
Social Security,	:	
	:	
Defendant.	:	

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that the decision of the Commissioner be **REVERSED** and that this action be **REMANDED** for further action not inconsistent with the Orders of this Court.

**DONE** this 20<sup>th</sup> day of March, 2007.

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s/ W. B. Hand  
SENIOR DISTRICT JUDGE